

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TRUSTEES OF BOSTON COLLEGE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:24-cv-1523
)	
URSHAN UNIVERSITY, INC.,)	
)	
Defendant.)	
)	

PLAINTIFF’S MOTION TO STRIKE DECLARATIONS

Plaintiff Trustees of Boston College, through undersigned counsel, hereby moves to strike in full or in part the three declarations appended by Defendant Urshan University, Inc., to its Opposition to Plaintiff’s Motion for Preliminary Injunction (ECF Nos. 22-1, 22-2 & 22-3). As grounds for its Motion, Boston College incorporates by reference herein its Memorandum in Support of Plaintiff’s Motion to Strike Declarations, and further states as follows:

1. The declarations are replete with hearsay, speculation, and improper opinion.
2. The three declarants lack the necessary personal knowledge or qualifications to lay the foundation for the statements contained in those declarations, which therefore makes them unreliable for use in this case for the subjects on which they offer testimony and opinion.
3. Urshan should not be allowed to present additional “evidence” in the form of declarations which lack foundation and contain hearsay, speculation, and improper opinion. *See, e.g., Garrett v. Church of the Nazarene*, 2005 WL 2219805 at *2 (W.D. Mo. Sept. 12, 2005); *McSpadden v. Mullins*, 456 F.2d 428, 430 (8th Cir. 1972) (affidavits not made on personal knowledge or not containing admissible evidence are subject to motions to strike).

WHEREFORE, for these reasons and the reasons further discussed in the Memorandum in Support of this Motion, Boston College respectfully requests that the Court strike the three declarations appended to Urshan's Opposition to Plaintiff's Motion for Preliminary Injunction in full. Should the Court not deem it proper to strike the declarations in full, Boston College requests that the Court strike all inappropriate paragraphs of each declaration at the Court's discretion, and grant such other and further relief as this Court deems just and proper.

Dated: January 23, 2025

Respectfully submitted,

LEWIS RICE LLC

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